



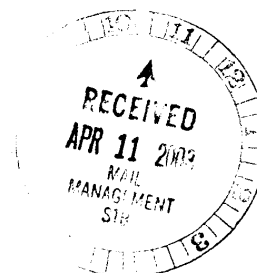
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RECORDATION NO. 23410-D FILED

APR 14 '03

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SURFACE TRANSPORTATION BOARD



April 10, 2003

Barbara Sadler  
Surface Transportation Board  
Recordation Office  
1925 K Street, N.W., Suite 70  
Washington D.C. 20423

Dear Barbara,

Enclosed are two (2) originals of the **Memorandum of Railcar Lease** dated as of March 6, 2003 between the following parties:

Names and address of the following parties:

Lessor: **THE CIT GROUP/EQUIPMENT FINANCING INC.**  
1211 Avenue of the Americas, New York, NY 10036

Lessee: **DTE COAL SERVICES, INC.**  
350 Indiana Street, Suite 600, Golden, Colorado 80401

**A short summary of the document to appear in the index follows:**

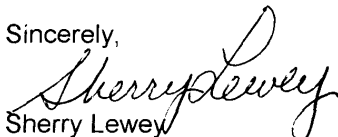
Memorandum of Railcar Lease between Lessor: **THE CIT GROUP/EQUIPMENT FINANCING INC.** and Lessee: **DTE COAL SERVICES, INC.**, covering 120 gondolas cars with reporting marks and numbers = CEFX - 40839 - CEFX - 43239, NON-INCLUSIVE.

Please file this memorandum as a **SECONDARY** document to Recordation #23410 dated March 19, 2001 and return one (1) stamped original to my attention. A check covering the filing fee of thirty dollars (\$30.00) is enclosed.

If you have any questions regarding the filing, please feel free to call me at 800-634-9738 ext. 20100.

Thank you for your prompt assistance.

Sincerely,

  
Sherry Lewey

Research/Development Coordinator

Enclosure

MEMORANDUM OF RAILCAR LEASE

THIS MEMORANDUM OF RAILCAR LEASE dated as of this 6<sup>th</sup> day of March, 2003, is made by THE CIT GROUP/EQUIPMENT FINANCING, INC., a Delaware corporation, with an address at 1211 Avenue of the Americas, New York, New York 10036 (the "Lessor"), and DTE COAL SERVICES, INC., a Michigan corporation, with an address at 350 Indiana Street, Suite 600, Golden, Colorado 80401 (the "Lessee" and, together with the Lessor, the "Parties").

KNOW ALL PERSONS BY THESE PRESENTS THAT:

WHEREAS, the Lessor and the Lessee entered into that certain Master Railcar Lease (the "Lease") dated as of January 23, 2001, covering certain equipment described therein and with respect to which a Memorandum of Railcar Lease was filed with the Surface Transportation Board ("STB") on March 19, 2001 and given Recordation Number 23410.

WHEREAS, the Parties have entered into an additional Schedule under the Lease and wish to show for the public record the existence of the aforesaid Schedule, the respective interests therein of the Parties and a description of the equipment (the "Equipment") as set forth in **Schedule A** hereto, and accordingly the Parties have caused this Memorandum to be executed by their respective duly authorized officers, as of the date first above written.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties hereto, by this instrument the Lessor hereby leases and confirms the lease of the Equipment to the Lessee in accordance with the terms and conditions of the Lease, and the Lessee confirms and accepts such terms and conditions, which are incorporated by reference as if fully set forth herein.

I certify that I hold the title set forth below, that this instrument was signed on behalf of the Lessor by authority of its Board of Directors and that I acknowledge that the execution of the foregoing instrument was the free act and deed of the Lessor. I further declare under penalty of perjury that the foregoing is true and correct.

THE CIT GROUP/EQUIPMENT FINANCING, INC.

By: Joseph F. Mankowski  
Name: Joseph Mankowski  
Title: Senior Vice President

I certify that I hold the title set forth below, that this instrument was signed on behalf of the Lessee by authority of its Board of Directors and that I acknowledge that the execution of the foregoing instrument was the free act and deed of the Lessee. I further declare under penalty of perjury that the foregoing is true and correct.

DTE COAL SERVICES, INC.

By: [Signature]  
Name: [Signature]  
Title: 3/4/03

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SURFACE TRANSPORTATION BOARD

## Schedule A

Number of Cars			Equipment Description		
120			Aluminum Coal Gondolas		
1	CEFX	40839	53	CEFX	41236
2	CEFX	40886	54	CEFX	41237
3	CEFX	40924	55	CEFX	41242
4	CEFX	40925	56	CEFX	41243
5	CEFX	40926	57	CEFX	41244
6	CEFX	40928	58	CEFX	41245
7	CEFX	40929	59	CEFX	41247
8	CEFX	40990	60	CEFX	41248
9	CEFX	40991	61	CEFX	41249
10	CEFX	40993	62	CEFX	41250
11	CEFX	40994	63	CEFX	41251
12	CEFX	41001	64	CEFX	41253
13	CEFX	41030	65	CEFX	41254
14	CEFX	41031	66	CEFX	41257
15	CEFX	41051	67	CEFX	41260
16	CEFX	41052	68	CEFX	41261
17	CEFX	41059	69	CEFX	41263
18	CEFX	41132	70	CEFX	41266
19	CEFX	41159	71	CEFX	41267
20	CEFX	41193	72	CEFX	41270
21	CEFX	41194	73	CEFX	41271
22	CEFX	41195	74	CEFX	41272
23	CEFX	41196	75	CEFX	41273
24	CEFX	41197	76	CEFX	41274
25	CEFX	41198	77	CEFX	41275
26	CEFX	41199	78	CEFX	41277
27	CEFX	41200	79	CEFX	41279
28	CEFX	41201	80	CEFX	41280
29	CEFX	41202	81	CEFX	41281
30	CEFX	41203	82	CEFX	41282
31	CEFX	41204	83	CEFX	41284
32	CEFX	41205	84	CEFX	41288
33	CEFX	41208	85	CEFX	41289
34	CEFX	41209	86	CEFX	41292
35	CEFX	41210	87	CEFX	41293
36	CEFX	41211	88	CEFX	41294
37	CEFX	41212	89	CEFX	41297
38	CEFX	41213	90	CEFX	41299
39	CEFX	41214	91	CEFX	41300
40	CEFX	41215	92	CEFX	41302
41	CEFX	41218	93	CEFX	41303
42	CEFX	41219	94	CEFX	41304
43	CEFX	41220	95	CEFX	41306
44	CEFX	41222	96	CEFX	41307
45	CEFX	41223	97	CEFX	41308
46	CEFX	41224	98	CEFX	41309
47	CEFX	41225	99	CEFX	41311
48	CEFX	41226	100	CEFX	41313
49	CEFX	41229	101	CEFX	41315
50	CEFX	41230	102	CEFX	41319
51	CEFX	41231	103	CEFX	42918
52	CEFX	41234	104	CEFX	42929
			105	CEFX	42932
			106	CEFX	42941
			107	CEFX	42948
			108	CEFX	42966
			109	CEFX	42976
			110	CEFX	42994
			111	CEFX	42995
			112	CEFX	42996
			113	CEFX	43001
			114	CEFX	43031
			115	CEFX	43068
			116	CEFX	43143
			117	CEFX	43179
			118	CEFX	43209
			119	CEFX	43225
			120	CEFX	43239